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BROADCAST MUSIC, INC. et al.
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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

11 BROADCAST MUSIC, INC. et al.,

12 Plaintiffs,

13 v.

14 UGUR, INC. d/b/a SPIEDO RISTORANTE and
HAMDI UGUR, individually,

15 Defendants.
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No. C-04 3121 PJH (JCS)

Action Filed: July 30, 2004

STIPULATED MOTION FOR
VOLUNTARY DISMISSAL

AND ORDER

HOWARD
RICE
NEMEROVSKI
CANADY
FALK
& RABKIN
A Professional Corporation

Pursuant to Rule 41(a)(1)(ii) of the Federal Rules of Civil Procedure, Plaintiff Broadcast Music, Inc. et al. and Defendants Ugur, Inc. d/b/a Spiedo Ristorante and Hamdi Ugur, by and through their respective counsel, hereby agree and stipulate to the dismissal, with prejudice, of this action, including all claims, pursuant to the parties' settlement. Each party shall bear its own costs and attorneys fees.

The parties request that the Court retain jurisdiction through February 2006 for the limited purpose of entering a Stipulated Judgment Upon Consent, in the event of the Defendants' default under the terms of a Settlement Agreement between the parties.

DATED: April __, 2005.

KAREN S. FRANK
SIMON J. FRANKEL
HOWARD RICE NEMEROVSKI CANADY FALK &
RABKIN
A Professional Corporation

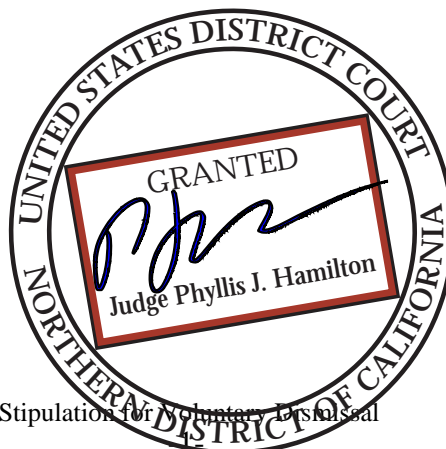
By: _____
KAREN S. FRANK
Attorneys for Plaintiffs BROADCAST MUSIC, INC.,
ET AL.

DATED: April __, 2005.

LAWRENCE P. RAMIREZ
RAMIREZ & BROWN LLP

By: _____
LAWRENCE P. RAMIREZ

Attorney for Defendants UGUR, INC., d/b/a SPIEDO
RISTORANTE and HAMDI UGUR



Stipulation for Voluntary Dismissal

PROOF OF SERVICE BY MAIL

I am employed in the City and County of San Francisco, State of California. I am over the age of eighteen (18) years and not a party to the within action; my business address is Three Embarcadero Center, 7th Floor, San Francisco, California 94111-4024.

I am readily familiar with the practice for collection and processing of documents for mailing with the United States Postal Service of Howard Rice Nemerovski Canady Falk & Rabkin, A Professional Corporation, and that practice is that the documents are deposited with the United States Postal Service with postage fully prepaid the same day as the day of collection in the ordinary course of business.

On June 20, 2005, I served the following document(s) described as STIPULATION FOR VOLUNTARY DISMISSAL on the persons listed below by placing the document(s) for deposit in the United States Postal Service through the regular mail collection process at the law offices of Howard Rice Nemerovski Canady Falk & Rabkin, A Professional Corporation, located at Three Embarcadero Center, 7th Floor, San Francisco, California, to be served by mail addressed as follows:

Lawrence P. Ramirez, Esq.
Brown & Ramirez, LLP
The Community Towers
111 North Market Street, Suite 1010
San Jose, CA 95113

Harry Weistrop
890 Main Street
P.O. Box 248 (94019-0248)
Half Moon Bay, CA 94019-2180

I declare under penalty of perjury that the foregoing is true and correct. Executed at San Francisco, California on June 20, 2005.

Kathleen A. Bliven

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